

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

JAICOURRIE DeWAYNE FINLEY,

Petitioner,

v.

WILLIAM STEPHENS, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

Respondent.

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2:11-CV-0072

**ORDER ADOPTING REPORT AND RECOMMENDATION,**  
**DENYING MOTION TO VACATE JUDGMENT,**  
**and ASSESSING SANCTIONS AGAINST PETITIONER**

Petitioner filed with this Court a "Letter Motion to Vacate Judgment." On June 28, 2013, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that petitioner's motion be denied, and that petitioner be sanctioned for filing a frivolous pleading. As of this date, no objections to the Magistrate Judge's Report and Recommendation have been filed of record.

Having made an independent examination of the record in this case, the undersigned United States District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. Accordingly, petitioner's "Letter Motion to Vacate Judgment" is hereby DENIED, and petitioner JACOURRIE DeWAYNE FINLEY is SANCTIONED as follows:

The Clerk of the United States District Court for the Northern District of Texas, Amarillo Division, shall accept no further civil lawsuits or habeas corpus petitions from JAICOURRIE FINLEY unless accompanied by a motion for leave to file such new lawsuit or petition. The motion for leave to file must explain why the new

lawsuit or petition is not frivolous, and show good cause for the Court to accept and file it. Any new lawsuit or petition from JAICOURRIE FINLEY not accompanied by a motion meeting this requirement may be returned to him unfiled, or may be filed and then dismissed for failure to seek leave, at the discretion of the Court. This sanction shall not affect FINLEY's right to pursue any lawsuit or petition for which leave to file is granted by the Court.

IT IS SO ORDERED.

ENTERED this 16<sup>th</sup> day of July 2013.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE